

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JEFFREY SIMPSON, individually and derivatively, as managing member of JJ ARCH LLC, suing derivatively as managing member of ARCH REAL ESTATE HOLDINGS LLC, and JJ Arch

Plaintiff,

v.

JARED CHASSEN, FIRST REPUBLIC BANK

Defendants.

25-CV-02372 (LTS)

**DECLARATION OF JONATHAN T. KOEVARY, ESQ. IN SUPPORT OF
MOTION OF ARCH REAL ESTATE HOLDINGS LLC SEEKING SANCTIONS
AGAINST JEFFREY SIMPSON AND HIS COUNSEL PURSUANT
TO RULE 11 OF THE FEDERAL RULES OF CIVIL PROCEDURE**

JONATHAN T. KOEVARY pursuant to 28 U.S.C. § 1746, declares:

1. I am a partner of Olshan Frome Wolosky LLP, counsel to Arch Real Estate Holdings LLC. I submit this declaration in support of the *Motion of Arch Real Estate Holdings LLC Seeking Sanctions Against Jeffrey Simpson and His Counsel Pursuant to Rule 11 of the Federal Rules of Civil Procedure* served contemporaneously herewith.

2. Attached as Exhibit A hereto is a true and correct excerpt of the February 28, 2025 hearing transcript in the above captioned case, in New York State Supreme Court, New York County, Index No. 158055/2023 (the “State Court Action”) prior to its subsequent removal.

3. Attached as Exhibit B hereto is a true and correct copy of an email communication from Mr. Simpson to me dated March 26, 2025.

4. Attached as Exhibit C hereto is a true and correct copy of JJ Arch LLC’s chapter 11 bankruptcy petition dated March 7, 2024 as filed in the United States Bankruptcy Court for the Southern District of New York (the “Bankruptcy Court”).

5. Attached as Exhibit D hereto is a true and correct copy of the endorsed memorandum of the United States District Court for the Southern District of New York (the “District Court”) dated November 19, 2024 dismissing as moot objections to proposed findings of fact and conclusions of law made by the Bankruptcy Court.

6. Attached as Exhibit E hereto is a true and correct copy of the order of the Bankruptcy Court dated October 28, 2024 remanding the State Court Action to the New York State Supreme Court.

7. Attached as Exhibit F hereto is a true and correct copy of the District Court docket of the appeal of the dismissal of JJ Arch LLC’s chapter 11 case as of approximately 1:35pm EDT, April 3, 2025.

8. Attached as Exhibit G hereto is a true and correct copy of an electronic calendar invitation to attend the hearing concerning Mr. Chassen’s contempt motion against Mr. Simpson. That hearing was scheduled to occur on March 27, 2025 and was listed as Motion Sequence 13 on the New York Supreme Court docket in the State Court Action.

9. Attached as Exhibit H hereto is a true and correct copy of the email communication of Mr. Robert Lorenc, Esq. to Mr. Eric Szkarlat concerning whether the March 27, 2025 hearing would go forward in light of the actions Mr. Jeffrey Simpson took to remove the State Court Action. As of the date of the communication, Mr. Szkarlat was a law clerk to Justice Cohen.

10. Attached as Exhibit I hereto is a true and correct copy of a letter dated March 25, 2025 from me to Mr. Lorenc.

11. Attached as Exhibit J hereto is a true and correct copy of an email communication dated March 25, 2025 from Mr. Simpson to me.

I declare under penalty of perjury that the foregoing information is true and correct to the best of my knowledge, information and belief.

Executed on the 3rd day of April, 2025

/s/ JONATHAN T. KOEVARY

JONATHAN T. KOEVARY